

DEFENDANT'S NOTICE TO PROCEED PRO SE WITH THE ASSISTANCE OF STANDBY COUNSEL

Now comes the Defendant, Sean D. Murphy, and respectfully requests that he be allowed to proceed pro-se at trial with the assistance of standby counsel.

As reasons therefore, the Defendant states:

1. Defendant has the constitutional right to represent himself at trial. However, "a judge may appoint standby counsel to relieve the judge of the burden of the basic rules of courtroom protocol." McKaskle v. Wiggins, 465 U.S. 168, 184 (1984); Moore v. Haviland, 531 F.3d 393 (6th Cir. 2008).

2. Defendant requests that during sidebar discussions anticipated during this two week trial, "Standby counsel must be available if and when the accused requests help. The court may

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appoint a temporary counsel in order to
remove the obstacles that may
hinder effective proceedings.

See Berloli, 99-1 L. 26 1912
1018-1019 (3rd Cir. 1993).

In order for Murphy to avoid
having to continue with the case
repeatedly having various discussions,
which will prolong such discussions
and delay the case. Murphy requests the
court to allow attorney Berolli to
act as co-counsel to the party and
(2) allow attorney Berolli to
act as co-counsel to the party in
order to avoid unnecessary delays.

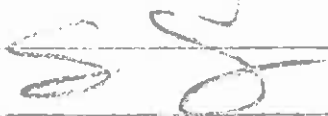
4. Mr. Murphy states he will make
the Opening Statement, question and
examine at the witness.
The parties Closing Arguments.
The level of participation Murphy is
requesting for attorney Berolli is
minimal and minimal is minimal
and

within the discretion of the trial court." Clegh v. Price, 321 F.3d 332, 345 (2nd Cir. 2004); U.S. v. Stephens, 83 F.3d 60, 67 (2nd Cir. 1996); U.S. v. Olano, 62 F.3d 1130, 1133 (9th Cir. 1995); U.S. v. Patterson, 42 F.3d 211, 213 (5th Cir. 1994).

5. Mr. Murphy further stated that in previous matters, in this matter the Court has allowed both Mr. Murphy and attorney Graeff to argue motions and other matters jointly.
6. Once Closing Arguments are complete, Murphy will request for representation to attorney Graeff for all subsequent matters, if any.

WHEREFORE, the Defendant respectfully requests this Honorable Court to proceed at trial with the assistance of standby counsel.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'S.D. Murphy', written over a horizontal line.

Sean D. Murphy
Defendant